

Energy, Environment and Agriculture Subcommittees Tentative Meeting Agenda

44th ALEC Annual Meeting | Denver, Colorado
Wednesday, July 19, 2017
8:00 – 10:20 AM

8:00 AM Call to Order, Welcome and Introductions

Energy Subcommittee:

8:05 AM Presentation: The Department of Energy in the New Administration
Daniel Simmons, Assistant Secretary (Acting)
Office of Energy Efficiency and Renewable Energy

8:30 AM Presentation: The Environmental Protection Agency in the New Administration
Mandy Gunasekara, Senior Policy Advisor to the Administrator
Environmental Protection Agency

9:00 AM Utility Cybersecurity
Mark Weatherford, Chertoff Group

Environment Subcommittee:

9:20 AM **Panel Discussion: Uniformity of Commerce Legislation: a Conservative Tool to Protect Healthy Economies and Preserve Individual Freedoms**
Rep. Linda Upmeyer, Iowa
Ellen Troxclair, Austin City Council
Patrick Gleason, Americans for Tax Reform

Agriculture Subcommittee:

9:45 AM Endangered Species Act and Agriculture on Federal Lands
Brian Seasholes, Property and Environment Research Center

10:00 AM State-level Solutions in Endangered Species Act Regulation
Zach Bodhane, Western Governors Association

10:20 AM Adjournment

**EEA, CIED, Tax Joint Working Group
Tentative Meeting Agenda**

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10:20 – 11:00 AM

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| 10:20 AM | Welcome and Introductions |
| 10:25 AM | Model Policy Presentation and Discussion: Resolution Regarding Property-Assessed Clean Energy Programs |
| 11:00 AM | Adjourn |

Resolution Regarding Property-Assessed Clean Energy Programs

Whereas Statements

Whereas property-assessed clean energy (PACE) is a mechanism for private property owners to finance renewable energy and energy efficiency projects; and,

Whereas most PACE programs are established by municipalities by issuing bonds to fund projects; and,

Whereas the financing is provided by municipalities to the property owner and paid back by the owner through an additional “assessment” to the property (i.e. an extra property tax) levied by the municipality over a set time period, potentially as long as 25 years; and,

Whereas PACE obligations are tied to the physical property, not the property’s owner; and,

Whereas PACE assessment are treated like a tax lien and municipalities are first in line to be repaid-ahead of mortgage agencies, in case of default; and,

Whereas traditionally Fannie Mae and Freddie Mac have objected to the prime lien status of PACE and have refused to accept mortgages on properties with PACE liens; and,

Whereas in 2016 the Federal Housing Finance Agency (FHFA) stated that “super-priority liens” created by programs like PACE “increases the risk of losses to taxpayers”; and,

Whereas, the private lending industry in the U.S. is capable of financing such projects; and,

Whereas, the market should provide financing for these projects, not government; and,

Whereas, PACE has been associated with issues of consumer protection and predatory lending in which contractors have signed up residents for PACE who do not fully understand the conditions and the impact on their property tax bill; and,

Statutory Provisions

Therefore be it resolved that the American Legislative Exchange Council (ALEC) is opposed to government involvement in financing renewable and efficiency projects for private property owners; and,

29 Therefore be it further resolved that ALEC believes the market should provide financing for these
30 projects not government and the private lending industry in the U.S. is capable of financing such
31 projects

**Biographies for the Energy, Environment & Agriculture
Subcommittees**

Denver, CO
Wednesday, July 19, 2017

Energy Subcommittee:

Daniel Simmons, U.S. Department of Energy Office of Energy Efficiency and Renewable Energy

In his role as Acting Assistant Secretary in the Office of Energy Efficiency and Renewable Energy (EERE), Daniel Simmons leads EERE to achieve its vision of a strong and prosperous America powered by clean, affordable, and secure energy. He oversees technology development in the energy efficiency, renewable power and sustainable transportation sectors.

Daniel is also serving as EERE's Principal Deputy Assistant Secretary. He previously served on the Presidential Transition Team. Before joining the Department of Energy, Daniel served as the Institute for Energy Research's Vice President for Policy, overseeing its energy and environmental policy work at the state and federal level.

He previously served as director of the Natural Resources Task Force at the American Legislative Exchange Council, was a research fellow at the Mercatus Center, and worked as professional staff on the Committee on Resources of the U.S. House of Representatives.

He is a graduate of Utah State University and George Mason University School of Law.

Mandy Gunasekara, U.S. Environmental Protection Agency

Mandy Gunasekara joined the Environmental Protection Agency in March and serves as a Senior Policy Advisor to the Administrator for the Office of Air and Radiation.

Previously, Mandy served as Majority Counsel for Chairman Inhofe during the 114th Congress and for Chairman Barrasso during the 115th Congress on the United States Senate Environment and Public Works Committee. She led committee actions and policy development on Clean Air Act and climate change issues.

From 2012 to 2014, Mandy worked as Senior Legislative Counsel for Congressman Bob Latta (Ohio-05) where she developed the Congressman's legislative agenda on issues related to energy, environment, agriculture, immigration, labor, manufacturing and trade. She also led his committee agenda for the United States House of Representatives Energy and Commerce Committee.

Prior to joining Congressman Latta's office, Mandy worked for Ranking Member Mike Enzi on the Senate Health, Education, Labor and Pensions (HELP) Committee. While there, she worked

on labor, employment and disability issues. In addition, Mandy spent two summers as a law clerk for the Energy and Commerce Committee Office of General Counsel.

A native Mississippian, Mandy earned a J.D. from the University of Mississippi School of Law and a B.A. from Mississippi College.

Mark Weatherford, The Chertoff Group

Mark Weatherford is a Senior Advisor at The Chertoff Group where he works with businesses and organizations around the world by helping create comprehensive and strategic security programs that address the ever-evolving cybersecurity landscape.

Mr. Weatherford is a Distinguished Fellow at the Poneman Institute, a member of the CSIS Cyber Policy Task Force for the 45th President, a Founding member of the CyberCalifornia Board of Advisors, and serves on the Government Advisory Council of Palo Alto Networks and the Advisory Boards at Cylance, Coalfire Systems and AlertEnterprise.

Prior to joining The Chertoff Group, Mr. Weatherford was appointed by President Obama as the Department of Homeland Security's first Deputy Under Secretary for Cybersecurity. Before joining DHS, Mr. Weatherford was the Vice President and Chief Security Officer at the North American Electric Reliability Corporation (NERC) where he directed the cybersecurity and critical infrastructure protection program and worked with electric utility companies across North America. Prior to NERC, Mr. Weatherford was appointed by Governor Arnold Schwarzenegger to serve as California's first Chief Information Security Officer and was also the first Chief Information Security Officer for the State of Colorado, where he was appointed by two successive governors.

As a former U.S. Navy Cryptologic Officer, Mr. Weatherford led the United States Navy's Computer Network Defense operations and the Naval Computer Incident Response Team (NAVCIRT).

Mr. Weatherford earned a bachelor's degree from the University of Arizona, a master's degree from the Naval Postgraduate School and holds the Certified Information Systems Security Professional (CISSP) and Certified Information Security Manager (CISM) certifications. He was awarded SC Magazine's "CSO of the Year" award in 2010, named one of the "10 Most Influential People in Government Information Security" by GovInfoSecurity in both 2012 and 2013 and was selected for the 2013 CSO Compass Award for leadership achievements in the security community.

Environment Subcommittee:

Linda Upmeyer, State Representative, Iowa LIMITED GOVERNMENT • FREE MARKETS • FEDERALISM

Speaker Linda Upmeyer was first elected to the Iowa House in 2002 and is serving her eighth term.

Linda was born on July 23, 1952, in Mason City. Her father, Del Stromer, was a farmer and a former Speaker of the Iowa House. Her mother, Harriet, is a homemaker and was longtime aide to Del. Linda has one brother, David, a farmer in Garner, and a sister, Pam, in Dublin, Ohio.

Upmeyer grew up in Garner on the family farm, graduating from Garner High School in 1970. She attended North Iowa Area Community College (NIACC) and the University of Iowa, receiving her BSN. She also received her Master's in Nursing from Drake University (Summa Cum Laude). She is a certified Family Nurse Practitioner.

Linda married her husband, Doug, in 1970. Together they have five children: Sara, Chad, Matt, Blake, and Tyler. Linda and Doug have four grandsons, Colin, Carter, Cooper, and Nolan and one granddaughter, Claire.

Linda is a member of the Farm Bureau, the Iowa/American Academy of Nurse Practitioners, Sigma Theta Tau International Nursing Honor Society, Omicron Delta Kappa National Leadership Honor Society, Phi Theta Kappa and the Clear Lake Art Center. She is a former trustee for North Iowa Area Community College and a former board member of both the National and Iowa Association of Community College Trustees.

Ellen Troxclair, City Council Member, Austin, Texas

Elected to public office in 2014, Ellen Troxclair is the youngest woman to ever serve on the Austin City Council. In addition to her role at City Hall, she manages a successful residential real estate business and is a founding partner of Luxe Property Group.

After graduating with a degree in business from the University of Texas, she began a decade long career in public policy. In her capacity at the State Capitol she worked with constituents, local municipalities, state agencies, and interest groups in researching and developing effective policy on a vast array of issues. She played an integral role in crafting statewide legislation on topics such as improving our education system, assisting veterans, providing reliable water infrastructure, ensuring election integrity, and truth in budgeting and taxation. This experience gave her an appreciation for serving others and a passion for effecting positive change at City Hall.

Currently, she is honored to serve as the Chair of the City Council's Audit & Finance Committee. She also represents the City on the Regional Affordability Committee and the Capital Area Council of Governments.

Ellen and her husband live in Southwest Austin with their daughter and two dogs. As a member of the committee for the St. David's Foundation Neal Kocurek Scholarship Fund, she dedicates her time to raising scholarship money for Central Texas students wishing to pursue health related careers. She is also a long-time volunteer for Meals on Wheels, a Steward of the Wild with the Texas Parks & Wildlife Foundation, and a member of the Ballet Austin Board of Directors. She is passionate about helping a new generation become involved and invested in their communities.

Ellen is honored to serve as the first City Council Member representing District 8, and is a true advocate for Southwest Austin, dedicated to protecting our quality of life while making it affordable to live in the city that we love.

Patrick Gleason, Americans for Tax Reform

Patrick Gleason is the Director of State Affairs at Americans for Tax Reform, a Washington-based advocacy and policy research organization founded by Grover Norquist in 1985 at the request of President Ronald Reagan. His writings and commentary have been published in The Economist, Reuters, Politico, and the Wall Street Journal, among others. He covers the intersection of state & federal policy and politics.

Agriculture Subcommittee:

Brian Seasholes, Property and Environment Research Center

Brian Seasholes is the director of the Endangered Species Project at the Reason Foundation. His work deals with wildlife and land-use issues, including private approaches to conservation in the United States and around the world.

Zach Bodhane, Western Governors Association

Zach Bodhane manages the "Species Conservation and Endangered Species Act Initiative" of Gov. Matt Mead and works on wildlife policy, including the Endangered Species Act. Zach joined the policy team full-time in 2015 after a year as a WGA Policy Intern, during which time he worked on the "Western Governors' Drought Forum." The Colorado native holds a B.S. in Natural Resources Management from Colorado State University.